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In Pro Per

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Louis A. Coffelt, Jr.) Case No.:
Plaintiff,)
v.)
Nvidia, Corporation,)
Defendant,)
v.)
Autodesk, Inc.,)
Defendant,)
v.)
Pixar,)
Defendant.)

**REPLY IN SUPPORT OF MOTION
TO ALTER JUDGMENT
PURSUANT TO FED.R.CIV.P. 59(e)**

Date: July 25, 2016
Time: 10:00 a.m.
Courtroom 1, 2nd Floor
Hon. S. James Otero

TO: The Court,

Nvidia, Corporation,
Autodesk, Inc.,
Pixar,

STATEMENT OF FACTS

On July 1, 2016, Defendants filed a Response to Plaintiff's Motion to Alter Judgment Pursuant to Fed.R.Civ.Proc. 59(e) [docket No. 46] ("Defendants Response").

In Defendants Response See [docket 46 at 5, line 8] Defendants

1 contend that Plaintiff's Motion to Alter Judgment does not meet the
2 requirements of Fed. R. Civ. Proc. 59(e) and fails to comply with the
3 Local Rules of this Court.

4 Defendants do not point to any specific requirement or Local Rule
5 which supports their above-identified general contentions. Instead,
6 Defendants reference the cases of *McDowell v. Calderon* 197 F.3d 1253;
7 *accord Shortage v Found. Const. Payroll Serv., LLC*, No. 14-cv-04850,
8 2015 U.S. Dist. LEXIS 81422.

9 Both the Defendants and the Court have clearly erred by not
10 considering Coffelt's EXHIBIT 404.

11 Plaintiff, Louis A. Coffelt, Jr. ("Coffelt") has pointed to clear
12 error in the record of this action
13 [docket 45-1 at 2 lines 1-17]. For these reasons, the above-identified
14 cases of *McDowell* and *accord Shortage* are not pertinent to this
15 Motion.

16 In regard to the term ("calculating"), the entire record of this
17 action is replete with conclusory statements without any reference to
18 Coffelt's EXHIBIT 404.

19 EXHIBIT 404 is clearly more than a few web pages. EXHIBIT 404
20 represents clear evidence of a standard form of language used for many
21 years to describe calculations of real objects. There are many well-
22 known arts which calculate volumes. e.g. concrete contractors, road
23 paving contractors, swimming pool contractors, architects, structural
24 engineers. The term ("calculating") does Not impose abstract.

25 Coffelt's 710 patent does not contain any schematics or abstract
26 drawings. Coffelt's 710 patent; EXHIBIT 404; and Coffelt's
27 declarations are clear evidence that Coffelt's 710 patent claim 1 term
28 ("calculating a particular steradian region of space") is not

abstract. Furthermore, for the above reasons, ("calculating a particular steradian radius") is not abstract.

For more than 35 years, the state of the art shadow derivation utilized 2-dimensional shadow mapping to create 2-dimensional shadows. Coffelt's 710 patent claims have inherent characteristics of a 3-dimensional system for deriving complex 3-dimensional shadows.

Neither the Defendants nor the Court have disputed that the combination of:

(“a particular steradian region of space”);
 (“a particular steradian radius”);
 the inherent result of (“complex 3D shadows”)
 is Coffelt’s claimed inventive concept.

CONCLUSION

The burden of proof of invalidity of Coffelt's 710 patent is clearly upon Defendants. The Defendants have not filed any supporting fact for their conclusions. Therefore, Defendants have not filed any Authorities which support their Motion [docket 43].

For the above reasons, consideration of Coffelt's EXHIBIT 404 will result in the denial of Defendants Motion to Dismiss [docket 34].

There are no facts in this action which support the judgment to grant Defendants Motion.

There are no Authorities in this action which support the judgment to grant Defendants Motion.

For these reasons, Coffelt moves this Court to alter the Judgment [docket No. 43] to deny Defendants Motion to Dismiss [docket No. 34].

Date: July 6, 2016 BY /s/ Louis A. Coffelt, Jr.

Plaintiff

In Pro Per

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of July, 2016, I electronically filed the foregoing document, **REPLY IN SUPPORT OF MOTION TO ALTER JUDGMENT PURSUANT TO FED.R.CIV.P. 59(e)** with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following attorneys of record who have consented to accept this Notice as service of this document by electronic means:

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